



Nassau County

Department of REAL ESTATE PLANNING & DEVELOPMENT**Staff Summary**

Subject Amendment No. 4 to Master License Agreement for the replacement of an existing cell tower at the NCPD Fourth Precinct in Hewlett
Department Public Works, Division of Real Estate Services
Department Head Name Shila Shah-Gavnaudias
Department Head Signature
Project Manager Name Kevin C. Walsh, Chief Real Estate Negotiator and Special Counsel, Department of Real Estate Services

Date April 30, 2015
Vendor Name Beacon Wireless LLC Attn: Randall C. Weichbrodt, Esq.
Contact Number 631-653-6603
Contract Manager Name

Proposed Legislative Action					
	To	Date	Approval	Info	Other
	Assgn Comm				
	Rules Comm				
	Full Leg				

Internal Approvals			
Date & Init.	Approval	Date & Init.	Approval
5/15/15 JS	Dept. Head	6/1/15	Legislative Affairs.
6/17/15 AK	Budget		County Atty.
7/1/15	Deputy C.E.	7/1/15	County Exec.

Description: Amendment to Master License Agreement for the replacement of an existing lattice tower wireless telecommunications installation at the Nassau County Police Dept. 4th Precinct in Hewlett

Purpose: To amend the Master License Agreement (the "Agreement") with Beacon Wireless, LLC (the "Licensee") for the replacement of an existing cell tower with a new installation at the Nassau County Police Dept. 4th Precinct in Hewlett

Method of Procurement: Request for Proposal issued on July 16, 2008. The County received one bid which was reviewed by a selection committee. The Master License Agreement awarded pursuant to the RFP permits the County to allow the Licensee to develop wireless telecommunications facilities on other sites owned by and located in the County.

Procurement History: This is Amendment No. 4 to the Master License Agreement entered into on December 31, 2009 which agreement was awarded after a formal RFP process (RFP issued July 16, 2008).

Description of General Provisions: Licensee shall be given a license to erect and maintain a 110 foot lattice wireless communications tower on an approximately 1600 square foot parcel located at the Nassau County Police Dept. 4th Precinct in Hewlett. This installation will replace the existing lattice tower with an installation of superior engineering and design that will provide significant improvement to existing police, public safety and first responder telecommunications and which will accommodate co-location of wireless telecommunication providers thereby generating revenue for the County of Nassau.

Impact on Funding / Price Analysis: In consideration for the granting of the License, Licensee will pay the County fifty (50%) percent of all rental income received from wireless carriers with which the Licensee contracts (exclusive of additional charges which Licensee may incur, including insurance, utility charges, architectural and engineering charges and tax surcharges) and a one-time upfront payment of \$25,000.00 per wireless carrier per wireless telecommunication facility to be paid within six (6) months of installation of their respective equipment. In order to guarantee that the County receives income from the granting of the Agreement, the Licensee has also covenanted to guarantee an annual payment to the County of \$15,000 per wireless carrier.

Change in Contract from Prior Procurement: Amendment No. 4 to Communications Site Master License Agreement

Recommendation: (approve as submitted) Approve as submitted.

2015 JUL - 1 P 12:08
RECEIVED
CLERK OF THE LEGISLATURE
NASSAU COUNTY

COUNTY OF NASSAU
INTERDEPARTMENTAL MEMO

TO: CLERK OF THE NASSAU COUNTY LEGISLATURE

FROM: COUNTY ATTORNEY

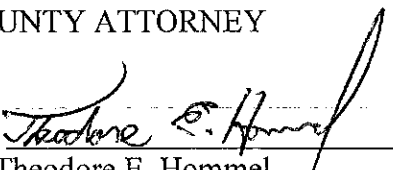
DATE: June 24, 2015

SUBJECT: ORDINANCE – ORIG. DEPT. – Dept. of Public Works, Division of
Real Estate Services

An ORDINANCE to authorize Amendment No. 4 to a Communications Site Master License Agreement between the County of Nassau and Beacon Wireless, LLC.

The above described document attached hereto is forwarded for your review and approval and subsequent transmittal to the County Legislature for inclusion upon its calendar.


CARNELL T. FOSKEY
COUNTY ATTORNEY

By: 
Theodore E. Hommel
Deputy County Attorney

ORDINANCE NO. - 2015

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE GRANT OF A LICENSE TO BEACON WIRELESS, LLC TO UTILIZE AN APPROXIMATELY SIXTEEN HUNDRED (1600) SQUARE FOOT PORTION OF COUNTY-OWNED REAL PROPERTY SITUATED IN HEWLETT, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID REAL PROPERTY KNOWN AS SECTION 42, BLOCK 221 LOT 279 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO EXECUTE AN AMENDMENT TO A LICENSE AGREEMENT BETWEEN THE COUNTY OF NASSAU AND BEACON WIRELESS, LLC AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH.

APPROVED AS PER
COUNTY CHARTER



2015 JUL - 1 P 12:08

RECEIVED
COUNTY CLERK
NASSAU COUNTY

WHEREAS, as authorized by Ordinance Nos. 232-2009, 56-2010, 229-2010 and 101-2014 of the Nassau County Legislature (the "Ordinances"), Beacon Wireless, LLC (the "Licensee") and the County have previously executed a non-exclusive Communications Site Master License Agreement (the "Agreement") to allow the Licensee to install and maintain telecommunications facilities on properties owned by and located in the County;

WHEREAS, the Agreement states that the County may, but is not obligated to, allow the Licensee to develop wireless telecommunications facilities on other sites owned by and located in the County;

WHEREAS, the County and the Licensee have previously executed Amendment No. 1, Amendment No. 2 and Amendment No. 3 to the Agreement;

WHEREAS, the Licensee desires to replace the existing lattice tower wireless telecommunications installation located at the Nassau County Police Department 4th Precinct, 1699 Broadway, Hewlett, New York (the “Premises”) with a new wireless telecommunications facility and to contract with wireless telecommunications providers to use space on such wireless telecommunications facility;

WHEREAS, the County has determined that the granting of the License for the Premises will have no adverse effect on the County’s use of the Premises;

WHEREAS, the County has no objection to the grant of the License subject to the terms and conditions contained in the Agreement;

WHEREAS, in accordance with Section 1611 of the Nassau County Charter and acting in an advisory capacity to the Nassau County Legislature, the Nassau County Planning Commission has reviewed the proposed action, namely the grant of the License to use the Premises, and determined that it is an “Unlisted Action” pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and has further reviewed the Environmental Assessment Form (“EAF”) for the proposed action and recommends that the Legislature upon its review of the EAF and any supporting documentation, if any, determine that the evidence before it indicates that the proposed action will have no significant environmental impact and does not require further environmental review;

WHEREAS, the Nassau County Planning Commission, acting in an advisory capacity to the Nassau County Legislature, passed a resolution regarding the proposed action, a copy of such resolution being attached hereto as Appendix A and incorporated herein, recommending that the Legislature conclude that no further environmental review or action is required on such proposed action.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

1. That the County Executive be and is hereby authorized to grant said License to use the Premises, which Premises is more particularly described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the unincorporated area known as Hewlett, Town of Hempstead, County of Nassau, State of New York, known and designated as Section 42, Block 221, Lot 279 on the Land and Tax Map of the County of Nassau and as shown on Schedule A attached hereto, subject to all of the terms and conditions contained in the Agreement.

2. That the County Executive be and he hereby is authorized to execute for, and on behalf of the County of Nassau, Amendment No. 4 to the Agreement and to execute any and all other instruments and to take such other action as is necessary, to carry out the purposes of Amendment No. 4.

3. That it is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the proposed grant of the License has been ~~determined not to have a significant effect on the environment and no further review is~~ required for the reasons set forth in the attached Determination of Non-Significance.

4. This ordinance shall take effect immediately.

AMENDMENT NO. 4
TO
COMMUNICATIONS SITE MASTER LICENSE AGREEMENT

This AMENDMENT (this “**Amendment**”) dated and effective such date as this Amendment is executed on behalf of the County (“**Amendment Effective Date**”), is entered into by and between Beacon Wireless, LLC, a New York Limited Liability Company having a mailing address of 436A Montauk Highway, Post Office Box 3042, East Quogue, NY 11942, (“**Beacon**” or “**Licensee**”) and The County Of Nassau, a municipal corporation having a mailing address of 1550 Franklin Avenue, Mineola, New York, (“**Licensor**” or the “**County**”). All terms used herein shall have the same meaning set forth in the Original Agreement (as hereinafter defined) unless expressly set forth herein.

WITNESSETH

WHEREAS, Licensor and Licensee have entered into a Communications Site Master License Agreement executed on behalf of the County on December 31, 2009 permitting the Licensee to utilize and possess a One Thousand Six Hundred (1,600) square foot portion of County property located at the Cedar Creek Water Pollution Control Plant in Seaford, New York, for the development of a wireless telecommunications facility (the “**Original Agreement**”); and

WHEREAS, the Original Agreement stated that the County may, but is not obligated to, allow Licensee to develop wireless telecommunications facilities on other sites owned by and located in the County; and

WHEREAS, the County and the Licensee have previously executed Amendments No.1, Amendment No.2 and Amendment No.3 to the Original Agreement; and

WHEREAS, the County desires to allow the Licensee to replace the existing lattice tower wireless telecommunications installation located at the Nassau County Police Department 4th Precinct, located at 1699 Broadway, Hewlett, New York with a new wireless telecommunication facility, the design of which shall be agreed upon by both parties, said premises known and designated as Section 42, Block 221, Lot 279 on the Nassau County Land and Tax Map, as more particularly shown in Schedule A attached hereto (the “**Additional Premises**”) to develop wireless telecommunication facilities in accordance with the terms of the Original Agreement.

NOW, THEREFORE, in consideration of the amounts payable to the County pursuant to the terms of the Original Agreement, the parties hereto agree as follows:

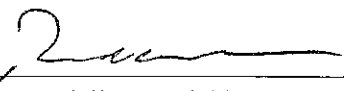
1. **Premises**. The Additional Premises is hereby made a part of the Premises described in the Original Agreement, subject to all of the terms and conditions of the Original Agreement. In addition, Schedule A attached to the Original Agreement is hereby amended to include the maps and drawings included in Schedule A attached hereto.
2. **Term Commencement Date**. The Term Commencement Date, as such term applies to Beacon's License with respect to the Additional Premises, shall commence upon commercial operation of the Licensee Facilities at the Additional Premises or twelve (12) months following the Amendment Effective Date, whichever first occurs
3. **Full Force and Effect**. All of the terms and conditions of the Original Agreement not expressly amended by this Amendment shall remain in full force and effect and govern the relationship of the parties for the term of the Original Agreement.

IN WITNESS WHEREOF, the Licensors and Licensee have executed this Amendment as of the date first above written.

COUNTY OF NASSAU

By: _____
Name:
Title:

BEACON WIRELESS, LLC

By: 
Name: Randall C. Weichbrodt
Title: Chief Executive Officer

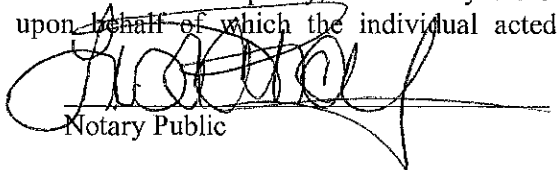
STATE OF NEW YORK)
 ss.:
COUNTY OF NASSAU)

On the ____ day of May, in the year of 2015 before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proven to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
 ss.:
COUNTY OF SUFFOLK)

On the 29th day of April, in the year of 2015 before me, the undersigned, a Notary Public in and for said State, personally appeared RANDALL C. WEICHBRODT, personally known to me or proven to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public



HEWLETT

1699 BROADWAY, HEWLETT, NY 11557 (NCPD 4TH PRECINT)

POLE OWNER CONTACT INFORMATION:

BEACON WIRELESS, LLC
436A MONTAUK HIGHWAY, P.O. BOX 3042, EAST QUOGUE, NY 11942
RANDALL C. WEICHBRODT, ESQ. (631) 653-6603

PROPERTY OWNER CONTACT INFORMATION:

NCPD 4TH PRECINT
1699 BROADWAY
HEWLETT, NY 11557

OVERALL HEIGHT OF THE STRUCTURE:

110'-0" +/- AGL

HEIGHT OF THE SUPPORT STRUCTURE:

110'-0" +/- AGL

HIGHEST POINT OF VERIZON WIRELESS INSTALLATION:

110'-0" +/- AGL

LEASED AREA SQUARE FOOTAGE:

1600 SQ. FT

COORDINATES:

LATITUDE: N 40° 38' 47.39" (NAD 83)
LONGITUDE: W 73° 41' 25.91" (NAD 83)

GROUND ELEVATION:

17' +/- AMSL (NGVD 29)

ANTENNA TIP AND CENTERLINE:

ANTENNA TOP HEIGHT: 110'-0" / 102'-0" +/- AGL
ANTENNA CENTERLINE HEIGHT: 107'-11" / 99'-11" +/- AGL

MULTIPLE CARRIER SITE:

YES

VZW PROJECT CODE:

20130913840

VZW LOCATION CODE:

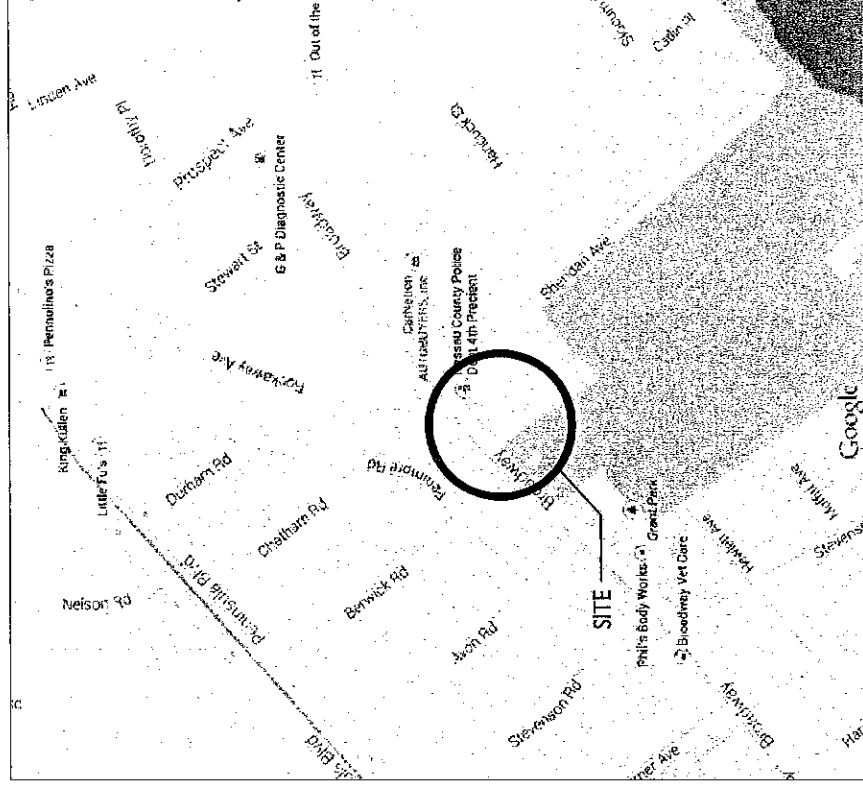
168198

ZONING INFO:

DISTRICT: XX
SECTION: XX
BLOCK: XX
LOT: XX
JURISDICTION: TOWN OF HEMPSTEAD

LEASE EXHIBIT NOTES:

1. THE EQUIPMENT AREA AS SHOWN IS PRELIMINARY AND MAY BE MODIFIED AS NECESSARY TO COMPLY WITH STANDARDS SET FORTH BY ALL STATE AND MUNICIPAL BUILDING CODES AND ZONING REGULATIONS INCLUDING ANY VARIANCES.
2. ALL ANTENNA LOCATIONS ARE APPROXIMATE
3. ANY EQUIPMENT OR OTHER UTILITY IMPROVEMENTS REQUIRED BY THE UTILITY PROVIDER TO SERVICE VERIZON WIRELESS'S INSTALLATION IS PERMITTED AT THE PROPERTY.



ARCHITECTS
124 TECHNOLOGY DRIVE, SUITE 100, NEWTON, MA 02459
TEL: 617.552.1000 FAX: 617.552.1001 WWW.WFC-ARCHITECTS.COM

CONSULTANT

NO.	DATE	SUBMISSION/REVISION
1	08/15	REVIEW

LESSEE

HEWLETT
1699 BROADWAY INC'D 4TH PRECINT
HEWLETT, NY 11557

DESIGN DATE: 11/13/14
TITLE:

SITE INFORMATION

DATE	12/19/14
SCALE	AS NOTED
DRAWN BY:	MC
CHECKED BY:	TM
CONTR. MANAGER	KU
PROJECT NO.	14-10909
NUMBER OF SHEETS	1 OF 4
DRAWING NO.	

LE-0

BROADWAY

EXISTING NASSAU
COUNTY POLICE
DEPARTMENT 4TH
PRECINCT

SHERIDAN AVE

EXISTING PARKING LOT

PROPOSED
110'-0" HIGH LATTICE
TOWER

EXISTING 110'-0" HIGH LATTICE
TOWER AND EXISTING EQUIPMENT
TO BE REMOVED

DIESEL GENERATOR SET
ATOP PROPOSED CONCRETE
PAD

CABINETS ON CONCRETE PAD
WITH PROPOSED WEATHER
CANOPY ABOVE

EXISTING OFFICE TRAILER
EXISTING GARAGE

1
LE-2

1
LE-3



LANDLORD'S INITIALS: _____

DATE _____

1 SITE PLAN - LEASE EXHIBIT

SCALE: 1" = 40'



WFC ARCHITECTS
141 TECHNOLOGY DRIVE, SUITE 100, NEW YORK, NY 10113
P: 212.693.8410 | F: 212.693.8411 | www.wfcarch.com

CONSULTANT

NO.	DATE	SUBMISSION/REVISION
1	1/8/15	REVIEW

LESSEE

HEWLETT
1699 BROADWAY 1600 4TH FLOOR
HEWLETT, NY 11557

DESIGN DATE: 11/13/14

TITLE

SITE PLAN

DATE	12/19/14
SCALE	AS NOTED
DRAWN BY:	MC
CHECKED BY:	TM
CONTR. MANAGER	KU
PROJECT NO:	14-0909
NUMBER OF SHEETS	2 OF 4
DRAWING NO:	

LE-1



WFC ARCHITECTS
141 FREDERICK STREET, SUITE 200, BALTIMORE, MD 21201
P: 410.526.4400 F: 410.526.4409 | www.wfcarch.com

CONSULTANT:

NO.	DATE	REVISION/REMARKS
1	1/8/15	REVIEW

LESSEE
HEWLETT
1699 BROADWAY 16RD 4TH FLOOR
HEWLETT, NY 11557
DESIGN DATE: 11/13/14
TITLE

ENLARGED
EQUIPMENT PLAN

DATE: 12/19/14
SCALE: AS NOTED
DRAWN BY: MC
CHECKED BY: TM
CONSULTANT: KU
PROJECT NO: 14-10009
NUMBER OF SHEETS: 3 OF 4
DRAWING NO:

LE-2

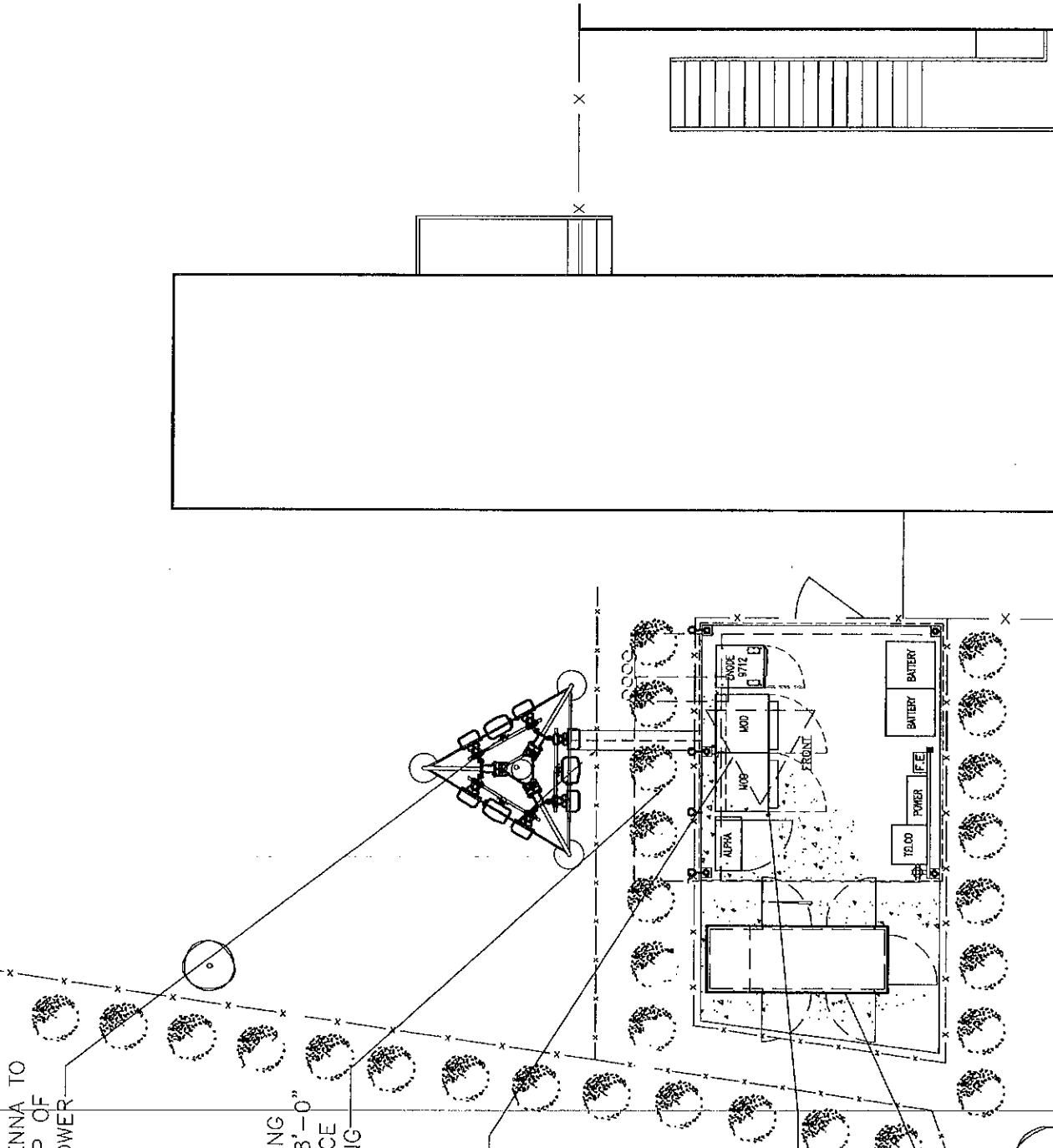
EXISTING POLICE ANTENNA TO
BE RELOCATED AT TOP OF
PROPOSED LATTICE TOWER

SHRUBS PLANTED ALONG
EDGE OF PROPOSED 8'-0"
HIGH CHAIN LINK FENCE
TO PROVIDE SCREENING

EXISTING 110'-0"
HIGH LATTICE TOWER
AND EXISTING
EQUIPMENT TO BE
REMOVED

EQUIPMENT CABINETS
ON CONCRETE PAD
WITH PROPOSED
WEATHER CANOPY
ABOVE

GENERATOR SET
ATOP PROPOSED
CONCRETE PAD



LANDLORD'S INITIALS: _____

DATE _____

ENLARGED EQUIPMENT PLAN - LEASE EXHIBIT

SCALE: 1/8" = 1'-0"

1

EXISTING POLICE WHIP ANTENNAS TO BE REMOVED AND RELOCATED AT TOP OF PROPOSED LATTICE TOWER

EXISTING NCPD PARABOLIC DISH TO BE REMOVED AND RELOCATED ON PROPOSED LATTICE TOWER AT 80'-0"±AGL

116'-0"
T.O. RELOCATED N.C.P.D. WHIP ANTENNAS
110'-0"
T.O. PROPOSED LATTICE TOWER

SHRUBS PLANTED ALONG EDGE OF PROPOSED 8'-0" HIGH CHAIN LINK FENCE TO PROVIDE SCREENING

9'-0"
T.O. PROPOSED LESSEE WEATHER CANOPY
8'-0"
T.O. PROPOSED CHAIN LINK FENCE
0'-0"
GRADE

WEST ELEVATION - LEASE EXHIBIT

SCALE: 1"=20'

LANDLORD'S INITIALS: _____

DATE _____

0' 10' 20'
1" = 20'



ARCHITECTS
431 JENKINS ROAD, SUITE 100, NEW YORK, NY 11213
P: 917.692.4550 | F: 917.692.4597 | www.mfc-ny.com

CONSULTANT

NO.	DATE	SUBMISSION/REVISION
1	1/6/15	REVIEW

LESSEE

HEWLETT
1699 BROADWAY (NORTH 4TH PRECINCT)
HEWLETT, NY 11557

DESIGN DATE: 11/19/14

TITLE

WEST ELEVATION

DATE	12/19/14
SCALE	AS NOTED
DRAWN BY:	MC
CHECKED BY:	TM
CONSTR. MANAGER	KU
PROJECT NO.	14-10909
NUMBER OF SHEETS	4 OF 4
DRAWING NO.	

LE-3

NASSAU COUNTY PLANNING COMMISSION

DISPOSITION OF COUNTY-OWNED PROPERTY & SEQRA DETERMINATION

NCPC-OSPAC FILE NO: 9-2015

WHEREAS, pursuant to Nassau County Administrative Code Section 11-8.0, the NASSAU COUNTY PLANNING COMMISSION (the "COMMISSION") issues the following recommendation to the NASSAU COUNTY LEGISLATURE (the "LEGISLATURE") and the NASSAU COUNTY EXECUTIVE regarding the disposition of real property owned by Nassau County;

WHEREAS, the NASSAU COUNTY BUREAU OF REAL ESTATE forwarded to the COMMISSION a proposal to amend an existing License Agreement between Nassau County and Beacon Wireless, LLC of the following County-owned real property, more particularly described as:

NCPC-OSPAC FILE # 9-2015 Section 42 Block 221 Lot part of 279
4th Precinct Nassau County Police Department, 1699
Broadway, Hewlett, New York

WHEREAS, the COMMISSION forwarded to the NASSAU COUNTY OPEN SPACE AND PARKS ADVISORY COMMITTEE (OSPAC), the proposal for the Amendment of an existing License Agreement between Nassau County and Beacon Wireless, LLC of the above-mentioned real property;

WHEREAS, the COMMISSION held a public hearing on February 26, 2015, in accordance with N.Y. Public Officers Law, notice of which was sent to Nassau County Legislator Francis X. Becker, Jr., and Town of Hempstead Supervisor Kate Murray, as well as to all surrounding property owners within a 150 ft. radius, with regard to this proposal;

WHEREAS, OSPAC passed a verbal resolution at its March 11, 2015 meeting to recommend the Amendment of an existing License Agreement between Nassau County and Beacon Wireless, LLC of the property described in NCPC-OSPAC # 9-2015 without condition;

WHEREAS, in accordance with Section 1611 of the Nassau County Charter and acting in an advisory capacity to the LEGISLATURE, the COMMISSION is required to review certain actions in accordance with the New York State Environmental Quality Review Act (SEQRA) and the COMMISSION has conducted such environmental review.

NOW THEREFORE BE IT RESOLVED that, based upon review of the environmental documents and supporting documentation, the COMMISSION recommends that the LEGISLATURE find that the proposed action regarding NCPC-OSPAC #9-2015 be classified as an unlisted action and determine that it will not have a significant adverse impact on the environment; and be it further

RESOLVED, that the COMMISSION hereby recommends that the LEGISLATURE complete the review of the proposed action under SEQRA by classifying the action as Unlisted and issuing a **NEGATIVE DECLARATION**; and be it further

RESOLVED, that the COMMISSION hereby recommends that the LEGISLATURE approve the release of the subject property without condition;

The foregoing resolution was offered:

The resolution herein was, in accordance with all applicable law, duly considered, moved, and adopted by the following vote:

Jeffrey Greenfield, Chair	EXCUSED
Leonard Shapiro, Vice-Chair	AYE
Jeffery Bass	AYE
James Bianco	EXCUSED
Ronald J. Ellerbe	AYE
Neal Lewis	AYE
Donna Martini	AYE
Mary McCaffery	AYE

The Vice-Chair declared the resolution duly adopted.

OSPAC 9-2015

Adopted: March 19, 2015

This resolution may be modified to allow for the correction of any mathematical, typographical and/or clerical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the Nassau County Planning Commission if said resolution is approved and adopted by the affirmative vote of a majority of said Nassau County Planning Commission.

Resolution of Nassau County Planning Commission
Adopted: March 19, 2015
OSPAC File# **9-2015**

STATE OF NEW YORK)
) SS:
COUNTY OF NASSAU)

I, SATISH C. SOOD, Deputy Commissioner for the Nassau County Planning Commission, do hereby certify, that I have compared the preceding with the original resolution passed by the Planning Commission of Nassau County, New York,

On March 19, 2015

on file in my office and recorded in the record of proceedings of the Planning Commission of the County of Nassau and do hereby certify the same to be a correct transcript therefrom and of the whole said original.

I further certify that the resolution herein above-mentioned was passed by the concurring affirmative vote of the Planning Commission of the County of Nassau.

IN WITNESS WHEREOF, I have hereunto set my hand,

This 27th day of April in the year of 2015.

**SATISH C. SOOD, DEPUTY COMMISSIONER
NASSAU COUNTY PLANNING COMMISSION**

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Replacement Lattice Tower by Beacon Wireless, LLC on behalf of Nassau County							
Name of Action or Project: Nassau County Police Department 4th Precinct							
Project Location (describe, and attach a location map): 1699 Braodway, Hewlett, NY							
Brief Description of Proposed Action: To replace aging 100' lattice tower at the 4th Precinct with a like-kind 110' lattice tower of superior engineering and design that will provide significant improvement to existing police, public safety and first responder telecommunications and accommodate collocation of wireless telecommunication providers thereby generating additional revenue to the County of Nassau							
Name of Applicant or Sponsor: Beacon Wireless, LLC		Telephone: (631) 664-1266					
		E-Mail: rcwlaw@optonline.net					
Address: 436A Montauk Highway, POB 3042							
City/PO: East Quogue		State: New York	Zip Code: 11942				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Nassau County Planning Commission Approval, Nassau County Legislature License Amendment, FCC Approval, Nassau County DPW Permit			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		2.50 acres					
b. Total acreage to be physically disturbed?		0.02 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.50 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): Municipal <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____		<input type="checkbox"/> NO <input type="checkbox"/> YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Randall C. Weichbrodt</u>		Date: <u>January 20, 2015</u>
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Nassau County Legislature	
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

State Environmental Quality Review (SEQR)
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number: NCPC OSPAC File #9-2015

Date: April 27, 2015

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Nassau County Planning Commission as agent for the lead agency, Nassau County Legislature, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: NCPC OSPAC 9-204 Amendment to an Existing License Agreement between Nassau County and Beacon Wireless, LLC to replace an existing 100' lattice tower and to allow collocation of cellular equipment located at Nassau County's 4th Precinct, 1699 Broadway, Hewlett, Town of Hempstead, New York.

SEQRA Status: Type I ☐
 Unlisted ☒

Conditioned Negative Declaration: ☐ Yes
 ☒ No

Description of Action: Nassau County would like to amend an existing License agreement between Nassau County and Beacon Wireless, LLC to replace a lattice tower located at Nassau County's 4th Police Precinct. The existing 100 foot lattice tower will be replaced with a 110 foot lattice tower of superior engineering and design that will provide significant improvement to existing police, public safety and first responder telecommunications and accommodate collocation of wireless telecommunication providers thereby generating additional revenue to the county of Nassau.

Location:

Nassau County 4th Precinct, 1699 Broadway, Hewlett, Town of Hempstead, New York

NCL&TM Designation: Section 42, Block 221, Part of 279

Reasons supporting this determination:

Completion of the Short Environmental Assessment Form has identified no significant adverse environmental impacts.

Determination of Significance

The environmental criteria set forth in §617.7 (c) are considered to be indicators of significant adverse environmental impacts. Using these thresholds the Nassau County Legislature finds the following factors as its basis for the NEGATIVE DECLARATION determination:

1. The proposed action will not result in a potentially adverse change in existing air quality since no additional vehicle trips will be induced;
2. The proposed action will not result in any changes in the use or significant increase in intensity of use of the recreational resources or roadways associated with the site;
3. The proposed action will not generate any additional vehicle trips. Further, the proposed action will not affect solid waste production and will not result in erosion, flooding, leaching or drainage problems;
4. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna. Accordingly, the proposed action will not interfere with the movement of any resident or migratory fish or wildlife species, nor will it have adverse impacts on significant habitat areas or result in any other significant adverse impact to natural resources;
5. The proposed action will allow physical improvements to the subject parcel and will not impair the character or quality of important historical, archeological, architectural or aesthetic resources of the County;
6. The proposed action will not create a material conflict with community plans or goals as officially approved or adopted;
7. The proposed action will not cause a substantial change in the use of either the quantity or type of energy;
8. The proposed action will not create a hazard to human health;
9. The proposed action will not result in a substantial change in the use or intensity of land, including cultural or recreational resource, or its capacity to support existing uses.
10. The proposed action will not result in a material demand for other actions that would result in any of the above consequences.
11. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
12. When considered cumulatively with other related actions, the proposed action will not have a significant effect on the environment or meet of the above criteria.

Accordingly, based on the aforementioned findings the proposed action provides a suitable balance of social, economic and environmental factors. The Nassau County Legislature therefore determines that the proposed action will not have an adverse impact on the environment and a Draft Environmental Impact Statement (DEIS) is not required with the issuance of this

NEGATIVE DECLARATION.

SEQRA Negative Declaration

Christopher Ostuni, Esq. Maj. Counsel Nassau Co. Legislature

Name and Title of Responsible Officer in Lead Agency

David Gugerty, Esq, Min. Counsel Nassau Co. Legislature

Name and Title of Responsible Officer in Lead Agency

John Perrakis, Planner II, NCPC

Name and Title of Preparer**Signature of Responsible Officer****Signature of Responsible Officer****Signature of Preparer**

For Further Information:

Contact Persons:

Christopher Ostuni
Majority Counsel
Nassau County LegislatureDavid Gugerty
Minority Counsel
Nassau County Legislature

Address:

Nassau County Legislature
One West Street
Mineola, New York 11501

Telephone Number:

(516) 571-4321

For Unlisted Actions a copy must be filed with the lead agency. (Nassau County Legislature)

Applicant: Nassau County

Other Involved Agencies: None

For Type I Actions and Conditioned Negative Declarations, a copy must be sent to:Environmental Notice Bulletin at: enb@gw.dec.state.ny.usENB, NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1750

County Executive, c/o County Clerk

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: BEACON WIRELESS, LLC

Address: 436A MONTAUK HIGHWAY - PO BOX 3042

City, State and Zip Code: EAST QUOGUE, NY 11942

2. Entity's Vendor Identification Number: _____

3. Type of Business: ☐ Public Corp ☐ Partnership ☐ Joint Venture
☒ Ltd. Liability Co ☐ Closely Held Corp ☐ Other (specify)

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

RANDALL C. WETCHUSOFF. 42 THE HELM, EAST ISLIP, NY
11730

THOMAS B. HEMINGWAY - 375 RICHLAND BLVD. BRIGHTWATERS
NY 11718

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation include a copy of the 10K in lieu of completing this section.

SEE ABOVE

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

NONE

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements, or to otherwise engage in lobbying as the term is defined herein. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

NONE

(b) Describe lobbying activity of each lobbyist. See page 4 of 4 for a complete description of lobbying activities.

N/A

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

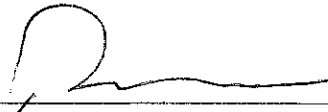
N/A

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: 5/28/15

Signed:



Print Name: RANDALL C. WERSCHULOSE

Title: CEO

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.
